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Į	APPLICATION NO.	FILING DATE ·	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
	10/551,282	08/21/2006	Danuta Ciok	P70807US0	1573
	***	7590 04/06/2007 OLMAN PLLC		EXAMINER	
400 SEVENTH STREET N.W SUITE 600	STREET N.W.		KIDWELL, MICHELE M		
	WASHINGTO	N, DC 20004		ART UNIT	PAPER NUMBER
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l	SHORTENED STATUTOR	Y PERIOD OF RESPONSE	MAIL DATE	DELIVER	Y MODE
	3 MO	NTHS	04/06/2007	PAP	FR

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Application No. Application No. Application (S) Different Color Et Al.					abla	P		
### Communication Summary Examiner			Application	ı No.	Applicant(s))		
### Communication Summary Examiner			10/551,282	2	CIOK ET AL.			
Michele Kidwell 3761 Annual Communication appears on the cover sheet with the correspondence address Period for Reply		Office Action Summary						
The MAILING DATE of this communication appears on the cover sheet with the correspondence address − Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Betansions of them may be available under be provided or side communication, in no event, however, may aceptly be timely lifed after the communication and the start (6) AICHT IS from the mailing date of this communication, which is the start of the communication and the start (6) AICHT IS from the mailing date of this communication, which are stored period for reply will, by stance, cause the application becomes ABANDONE (5) US US C, § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any exempt platent una application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ○ Claim(s)			Michele Kio	well				
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of ther may be arabised under the proximation of 37 CFR 1.73E(a). In or event, however, may a reply be lainly filed after SIX (b) MONTHS from the mailing date of this communication of the SIX (b) MONTHS from the mailing date of this communication. Failute to reply within the act or towards deheld for reply with by stands to become ABANDONED (33 U.S. C. § 333). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned pattern term adjustment. See 37 CFR 1.704(b). Status 1)	Ti Period for R	he MAILING DATE of this commu eply				ddress		
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2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4 Claim(s) 1-12 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5 Claim(s) is/are allowed. 6 Claim(s) is/are objected to. 8 Claim(s) is/are objected to. 8 Claim(s) is/are objected to by the Examiner. 10 The specification is objected to by the Examiner. 10 The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Application Papers 9 The specification is objected to by the Examiner. 10 The drawing(s) filed on is/are: a) accepted or b objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11 The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12 Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of:		,						
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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 4 and 9– 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Fenton (US 5,429,626).

With respect to claims 1 – 4 and 9 – 12, Fenton discloses an ostomy appliance comprising a front wall and a rear wall of flexible material forming a bag, said rear wall having an opening for receiving a stoma, and being provided with an adhesive wafer for securing the appliance to a user's skin, said wafer having a hole being aligned with the opening for receiving the stoma, wherein the opening of the rear wall has an edge being adapted to be secured to a surface of the adhesive wafer facing away from the user in an attachment zone surrounding the hole of the wafer, and wherein a first part of the edge of the opening of the rear wall is permanently secured to the surface of the wafer in a corresponding first part of the attachment zone, and a second, remaining part of the edge of the opening of the bag is prepared for adhesive sealing of the same to a remaining second part of the attachment zone wherein the second, remaining part of the edge of the opening of the bag is prepared for permanently adhesive sealing of the same to the remaining second part of the attachment zone and wherein the ostomy appliance further comprises a separate sealing member disposed in the

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hole of the wafer surrounding the stoma and having a hole for accommodating the stoma and the second part of the edge of the bag is secured to one surface of a stiffening element as set forth in col. 5, lines 1-35, col. 3, line 8 to col. 4., line 23 and in figures 3-5.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 5 – 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fenton (US 5,429,626).

Regarding claims 5-8, absent a teaching of unexpected result, the examiner contends that the claimed limitations do not patentably distinguish the claimed invention from the prior art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michele Kidwell whose telephone number is 571-272-4935. The examiner can normally be reached on Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tatyana Zalukaeva can be reached on 571-272-1115. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michele Kidwell
Primary Examiner
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